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Sprint Nextel Corporation
Sprint Spectrum L.P. d/b/a Sprint Nextel
and Nextel Finance Company

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JUDY LARSON, BARRY HALL, JOE
MILLIRON, TESSIE ROBB and
WILLIE DAVIS, individually and on
behalf of all others similarly situated,

Plaintiff,

-against-

AT&T MOBILITY LLC f/k/a
CINGULAR WIRELESS LLC and
SPRINT NEXTEL CORPORATION
and SPRINT SPECTRUM L.P. d/b/a
SPRINT NEXTEL and NEXTEL
FINANCE COMPANY,

Defendants.

No. 2:07-cv-05325-JLL-ES

**NOTICE OF MOTION FOR
AN ORDER TO SHOW CAUSE TO
STAY THE CALIFORNIA
LITIGATIONS AND ENJOIN AND
RESTRAIN THE BURSOR GROUP**

**(ORAL ARGUMENT
REQUESTED)**

TO:
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PLEASE TAKE NOTICE that as soon as counsel may be heard, the undersigned attorneys for defendants Sprint Nextel Corporation, Sprint Spectrum L.P. d/b/a Sprint Nextel and Nextel Finance Company (collectively, "Defendants"), will move before the Hon. Jose L. Linares, U.S.D.J. at Room 5D, United States District Court for the District of New Jersey, Martin Luther King Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, for an order directing Scott A. Bursor of Bursor & Fisher, P.A.; Alan R. Plutzik and Jennifer S. Rosenberg of Bramson, Plutzik, Mahler & Birkhaeuser, LLP; J. David Franklin of Franklin & Franklin; Adam Gonnelli of Faruqi & Faruqi, LLP; David Pastor of Gilman and Pastor, LLP; Anthony A. Ferrigno of Law Offices of

Anthony A Ferrigno; Joshua Davis of the Law Offices of Joshua Davis; and Marc G. Reich of Reich Radcliffe LLP for the *Robertson* Class; and Scott A. Bursor and L. Timothy Fisher of Bursor & Fisher, P.A.; Alan R. Plutzik of Bramson, Plutzik, Mahler & Birkhaeuser, LLP; and J. David Franklin of Franklin & Franklin for the California Subscriber Class and the California Appeal (collectively referred to as the “Bursor Group”), and all other persons acting in concert with them, to show cause why this Court should not stay any further prosecution of *In re Cellphone Termination Fee Cases*, JCCP 4332 (the “California Subscriber Class Case”) currently pending in the Alameda County Superior Court, State of California and on appeal before the Court of Appeals of the State of California First Appellate District, Division Five, No. A128026 (the “California Appeal”) and *Robertson v. Nextel Commc’ns, Inc.*, Case No. RG03114214, Calif. Super. Ct., Alameda County (“*Robertson*”) (collectively referred to as the “California Litigations”) and enjoin and restrain the Bursor Group from prosecuting any further proceedings that could result in any ruling or judgment that would conflict with this Court’s Final Judgment or otherwise interfere with this Settlement and this Court’s continuing jurisdiction over the Settlement Class;

PLEASE TAKE FURTHER NOTICE, that the Bursor Group shall immediately inform the California State courts of the entry of this Order and

immediately withdraw its applications in the California Litigations until this Court renders a final decision on Defendants' Motion for an Order to Show Cause;

PLEASE TAKE FURTHER NOTICE that in support of the Motion, Defendants rely upon the attached Memorandum of Law in Support of Defendants' Motion for an Order to Show Cause to Stay the California Litigations and Enjoin and Restrain the Bursor Group, and the supporting Declarations of Lauri A. Mazzuchetti and A. Brooks Gresham dated July 16, 2012.

PLEASE TAKE FURTHER NOTICE that a proposed Order To Show Cause and a proposed Order are also submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested in the event that this Motion is opposed.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Dated: July 16, 2012

KELLEY DRYE & WARREN LLP

By: s/ Joseph A. Boyle
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*Attorneys for Defendants
Sprint Nextel Corporation
Sprint Spectrum L.P. d/b/a Sprint Nextel
and Nextel Finance Company*

CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2012, I caused to be served a copy of defendants Sprint Nextel Corporation, Sprint Spectrum L.P. d/b/a Sprint Nextel and Nextel Finance Company's Motion for an Order to Show Cause, together with supporting papers on all counsel of record via ECF and on the following counsel via overnight mail:

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Dated: July 16, 2012

s/Vincent P. Rao II

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